

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

MICHAEL TIMMOTHY RIGGS,

Plaintiff,

v.

Case No: 2:21-cv-173-JLB-JBT

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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**ORDER**

The Magistrate Judge has entered a thorough and well-reasoned Report and Recommendation, recommending that Plaintiff's Unopposed Motion for EAJA Fees Pursuant to [28 U.S.C. § 2412\(d\)](#) ([Doc. 28](#)) be granted. ([Doc. 29](#).) No party has objected and the time to do so has expired.

A district judge may accept, reject, or modify the magistrate judge's report and recommendation. [28 U.S.C. § 636\(b\)\(1\)](#). The district judge must "make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." [Id.](#)


Here, mindful that no objection has been filed, the Court finds that the Report and Recommendation is due to be adopted.

Accordingly, it is **ORDERED**:

1. The Report and Recommendation ([Doc. 29](#)) is **ADOPTED**.
2. Plaintiff's Unopposed Motion for EAJA Fees Pursuant to [28 U.S.C. § 2412\(d\)](#) ([Doc. 28](#)) is **GRANTED**.

3. The Court awards Plaintiff \$8,350.27 for attorney's fees.
4. If the United States Department of the Treasury determines that Plaintiff does not owe a federal debt, the Government will accept the assignment of EAJA fees and pay fees directly to Plaintiff's counsel.
5. The Clerk is **DIRECTED** to enter judgment accordingly.

**ORDERED** at Fort Myers, Florida, on April 14, 2022.

  
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**JOHN L. BADALAMENTI**  
UNITED STATES DISTRICT JUDGE